

REMARKS

This application is believed to be in condition for allowance at the time of the next Official Action.

The Official Action objects to the drawings as failing to comply with 37 CFR §1.84(p)(5). The Official Action draws specific reference to the reference numeral 39 in Figure 6, and reference numeral 42 in Figure 7, neither of which are identified in the specification.

A replacement drawing sheet is provided for each of the identified figures. The new drawing sheets differ from those originally filed only with respect to the removal of reference numeral 39 and its associated lead-line from Figure 6, and the removal of reference numeral 42 and its associated lead-line from Figure 7. Such amendment introduces no new matter into the application.

The Official Action objects to the disclosure for an identified typographic error. Applicant has amended the specification as necessary to eliminate the basis for this objection, the reconsideration and withdrawal of which are respectfully requested.

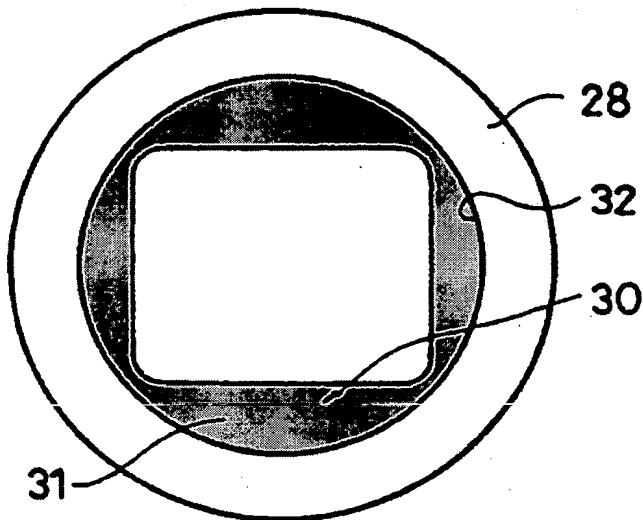
The Official Action rejects claims 12 and 13 under 35 USC §112, second paragraph, as being indefinite. This rejection

is based upon recitations in each claim that appear to lack antecedent basis. Applicant has amended each of the identified claims to eliminate the bases for this rejection. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

The Official Action rejects claims 1, 6, 7, 12, and 13 under 35 USC §102(b) as being anticipated by KOHMOTO et al. Reconsideration and withdrawal of the rejection are respectfully requested for the following reasons:

The Official Action identifies the various elements of the KOHMOTO et al. device construed as meeting the features recited by the rejected claims. Among these is the light intercepting mask 30 of KOHMOTO et al. considered to meet the recited flare stopper of the rejected claims. Among the features of the recited flare stopper is an inner periphery defining a circular opening.

Reproduced below is Figure 2 of the applied reference, modified only by shading the surface of the light intercepting mask 30. As is clear from this illustration, the opening defined by mask 30 is clearly not circular, contrary to the recitations of each of the present independent claims.



Moreover, the non-circular shape of the opening in mask 30 of the reference is, as described on lines 61-62 of column 3, one of the most significant features of that device.

As the reference notes in column 1, lines 35-37, "in a normal photograph, the film plane is rectangular with a longer horizontal side, whereas the photographing lens is circular in cross section". It is based on this feature that the KOHMOTO et al. device uses a generally rectangular opening in the light mask, as noted in column 1, lines 63-64, where the light

intercepting mask is described as "substantially analogous to an image plane".

This characteristic of the KOHMOTO et al. device is also explicitly recited in each independent claim thereof, in which the mask is recited as having a substantially rectangular opening. (See claims 1, 5, 13, 15, 17, and 18).

As a result, the KOHMOTO et al. patent cannot reasonably be construed as disclosing a flare stopper having an inner periphery defining a circular opening, nor can it be considered to disclose such inner periphery having the form of a side face of a circular truncated cone, both of which are recited in claim 1 as originally filed. Similarly, with respect to present independent claim 6, the KOHMOTO et al. patent clearly fails to disclose the circular opening of the flare stopper.

As each of the remaining rejected claims ultimately depends from one of claims 1 and 6, the reference clearly fails to disclose the features recited thereby, and reconsideration and withdrawal of the anticipation rejection are therefore respectfully requested.

The Official Action rejects claims 2-5 and 8-11 under 35 USC §103 as being unpatentable over the KOHMOTO et al. reference and the prior art described in the present application. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The analysis offered above in connection with the anticipation rejection based on the KOHMOTO et al. reference is equally applicable to the present obviousness rejection. The Official Action relies on the description of the prior art in the present application only for the recited composition of the flare stopper. However, irrespective of the knowledge attributable to one of skill in the art as to the composition of a flare stopper, there remains no teaching or suggestion of the recited shape of the flare stopper in any of the prior art.

In addition to the amendments provided above, each of which addresses only matters of form, applicant has added new claims 14-20. Of these, claim 14 is an independent claim from which each of claims 15-20 ultimately depends.

These claims recite a taking lens unit having, among other features, a flare stopper that defines a circular opening and that has surface defining a side surface of a frustocone. For the reasons offered above in connection with the anticipation rejection, the features recited in the new claims are neither disclosed, taught, nor suggested by any of the known prior art, including the applied KOHMOTO et al. patent.

In light of the amendments described above and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Application No. 10/725,521  
Amendment dated September 23, 2004  
Reply to Office Action of June 28, 2004  
Docket No. 8012-1218

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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RJP/EJ/mjr  
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**APPENDIX:**

The Appendix includes the following item(s):

- Two annotated sheets for Figures 6 and 7 of the drawings

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings includes changes to Figures 6 and 7. These sheets, which include Figures 6 and 7, replace the original sheets including Figures 6 and 7.

Figure 6 removes reference numeral "39" and its associated lead-line.

Figure 7 removes reference numeral "42" and its associated lead-line.

These changes introduce no new matter into the application.

Attachment: Two Annotated Sheets Showing Changes